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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,514

09/25/2003

Thomas Gauweiler

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1167

26646

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07/25/2006

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EXAMINER

TIMBLIN, ROBERT M

ART UNIT

PAPER NUMBER

2167

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/672,514	Applicant(s) GAUWEILER, THOMAS	
	Examiner Robert M. Timblin	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 9 is/are pending in the application.
- 4a) Of the above claim(s) 4-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/7/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to application 10/672,514 filed 9/25/2003.

Claims 1-3 and 9 have been examined and are pending prosecution. Non-elected claims 4-8 have been withdrawn from consideration.

Election/Restrictions

I. Claims 1-3 and 9 are drawn to saving records on a bufferpage of memory, which falls under the category of file allocation and is classified in class 707 subclass 205

II. Claims 4-8 are drawn to managing a memory, classified in class 711 subclass 118.

Claims 4-8 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention. Election was made to prosecute group I **without** traverse in the reply filed on 6/5/2006.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 3/7/2003 is being considered by the examiner.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Properties 86b, 86d, and 86f of figure 8 as specified on page.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: a grammatical error in the phrase "creating in a design environment *an* file that defines a metadata" of line 23, page 2.

Appropriate correction is required.

Claim Objections

Claims 1 and 9 are objected to because of the following informalities: the numbering of limitations is improper; i.e. there are two steps labeled (a) and (b). Therefore the second (a) step leads to confusion as to which steps (a) and (b) are repeated. Appropriate correction is required.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by **Kodavalla et al.** ("Kodavalla" hereinafter) (US Patent 5,717,919).

With respect to claims 1 and 9 **Kodavalla** discloses A method, comprising:

'(a) retrieving a first record from a database in response to a request from a first recordset' as the clients issue a query for retrieving particular data meeting the query condition from table 250 (col. 6, lines 14-24 and figure 2).

'(b) saving the first record on a first bufferpage (311) of a memory, the first bufferpage being associated with the first recordset' as storing data records in a data page (col. 7 lines 29-31 and figure 3A).

'(a) repeating steps (a) and (b) for at least one further record' as storing one or more records per page; in this case, storing 50 – 100 records (col. 7 lines 31-35 and figure 3A).

'(b) when a next record requested by the first recordset is larger than a freespace on the first bufferpage, saving the next record on a second bufferpage (321) of the memory, the second bufferpage being associated with the first recordset' as when a data page is "full" a new data page is allocated (col. 7, lines 33-35 and figure 3A). Furthermore, if insufficient room exists, the system allocates a new page (col. 7, lines 45-47).

'(c) if one of the first record, the at least one further record, and the next record was previously retrieved and saved by at least one of the first recordset and at least one second recordset as a prior record, storing a pointer with the prior record, the pointer pointing to the one of the first record, the at least one further record, and the next record' as every page is linked together with forward and backward page pointers to form a "page chain" (300) (col. 7 lines 34-41 and figures 3A-B).

With respect to claim 2, **Kodavalla discloses 'a first object that includes a kernel pointer, the kernel pointer pointing to the prior record'** (figures 3A-B).

With respect to claim 3, **Kodavalla discloses 'comparing the freespace on the first bufferpage to a size of the next record'** as maintaining a free list containing a list of free spaces with sufficient room for storing at he particular record being inserted (col. 2, lines 32-35). Furthermore a comparison is taught by determining if a page is full (col. 7, lines 29-35).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent documents.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leslie Wong


Primary Examiner

Robert M. Timblin


Patent Examiner AU 2167

RMT

7/19/2006